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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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21495	7590	05/06/2004	EXAMINER	
CORNING CABLE SYSTEMS LLC			SINGH, RAMNANDAN P	
P O BOX 489			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/887,643	BROWER ET AL.
	Examiner Ramnandan Singh	Art Unit 2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 February 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,5-13,15-31,34-37 and 39-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 13,15-23,37 and 39-41 is/are allowed.
- 6) Claim(s) 1,2,6-12,24,25, 27-31,34-36,42 and 43 is/are rejected.
- 7) Claim(s) 5 and 26 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Arguments

1. Applicant's argument, filed on February 17, 2004, with respect to claims 1, 24, 42-43 have been considered but are moot in view of the new ground(s) of rejection.

2. **Status of Claims**

Claims 1, 5-7, 13, 24, 25, 28, 34 and 37 are amended.

Claims 3, 4, 14, 32, 33 and 38 are cancelled.

New claims 41-43 are added.

Claims 1, 2, 5-13, 15-31, 34-37, 39-43 are pending.

Change of Scope

3. With the addition of new claims and the amendment to the claims, new grounds of rejection are made.

Claim Objections

4. Claim 42 is objected to because of the following informalities:

Claim 42 recites the limitation "a cover attached to the customer bridge an movable between an opened position and a closed position" in lines 11-12.

Delete "an".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 42-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al [US 5,802,170].

Regarding claim 42, Smith et al teaches a telephone network interface apparatus (i.e. a terminating device) 10 shown in Figs. 1, 2, 4 comprising a subscriber cover 12, a telephone company cover 14, a base 16, and modular devices 18 and 20 wherein the modular device 20 is commonly referred to as a customer bridge module and applied for interconnecting telephone company ("telco") wiring and subscriber telephone wiring [col. 1, lines 18-22; col. 5, line 38 to col. 6, line 29]. Further, a housing 38 (i.e. an assembly) mounted to the base has an insulation displacement contact 92 and openings 88 are adapted to receive subscriber wires 92 [Figs. 3-10; col. 6, lines 25-45; Figs. 12-13 and 19-24; col. 7, line 42 to col. 8, line 19]. Further, Smith et al teaches a cover 12 attached to the customer bridge 20 [col. 5, lines 46-51]. The cover attached to the bridge comprises a plug that engages the telephone jack [i.e. **RJ-11 plug**] [sol. 3, lines 3-18] wherein the cover has a plug-actuated switchable RJ-11 type socket 68 [col. 6, line 66 to col. 7, line 26; col. 8, lines 3-20; col. 8, lines 48-63; col. 9, lines 13-23].

Claim 43 is essentially similar to claim 42 and is rejected for the reasons stated above.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-2, 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al [US 5,802,170] in view of Daoud [US 6,340,306 B1].

Regarding Claim 1, Smith et al teach a telephone network interface apparatus (i.e. a terminating device) 10 shown in Figs. 1, 2, 4 comprising a subscriber cover 12, a telephone company cover 14, a base 16, and modular devices 18 and 20 wherein the modular device 20 is commonly referred to as a customer bridge module and applied

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for interconnecting telephone company ("telco") wiring and subscriber telephone wiring [col. 1, lines 18-22; col. 5, line 38 to col. 6, line 29]. Further, a housing 38 (i.e. an assembly) mounted to the base has an insulation displacement contact 92 and openings 88 are adapted to receive subscriber wires 92. The terminating device 10 comprises a cover 142 that is attached to the housing 38 and rotatable between a closed position and an opened position [Figs. 3, 5, 6, 10; col. 6, lines 25-45; Figs. 12-13 and 19-24; col. 7, line 42 to col. 8, line 19; col. 9, lines 23-65]. Further, Smith et al teach a cover 12 attached to the customer bridge 20 [col. 5, lines 46-51].

Smith et al does not teach expressly a locking slide having a movable clasp. However, the use of a movable clasp is well-known in the art.

Daoud teaches a connector 10 comprising a top section 12 a bottom section 14 wherein the top section 12 has a **clasp 15, which is movable** between an engaged position and a disengaged position, for engaging top section 12 to bottom section 14 [col. 3, lines 23-47; col. 1, lines 24-45].

Smith et al and Daoud are analogous art because they are from a similar problem solving area, viz. , telephone network interface apparatus.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the movable clasp of Daoud with Smith et al to establish an

electrical and mechanical connection between the wires and the terminal strips [Daoud; col. 1, lines 38-40] and to verify the integrity of a telephone line [Daoud; col. 1, lines 47-48].

Regarding Claim 2, Smith et al teach the customer bridge having a pair of rocker arm terminations 42 and a cam actuated termination mechanism 44 disposed therein that are movable between a closed position and an open position [Figs. 19-24; col. 6, lines 31-45].

Regarding Claim 6, the combination of Smith et al and Daoud teaches using a movable clasp for various security arrangements of the customer bridge using security cover 142 that may include a locking slide and a subscriber padlock [Smith et al; col. 9, lines 24-65]. Claims 15, 39 are essentially similar to Claims 5-6 and are rejected for the reasons stated above.

Regarding Claim 7, Smith et al teaches a plug-actuated switch that engages a jack [Fig. 16; col. 6, line 66 to col. 7, line 31].

Regarding Claim 8, Smith et al teaches the network interface device 10 that may be protected for weatherproofing using sealed electrical connections and/or gels [col. 5, line 66 to col. 6, line 6; col. 2, lines 29-45].

Claim 9 is essentially similar to Claim 8 and is rejected for the reasons stated above.

9. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Smith et al and Daoud as applied to Claim 1 above, and further in view of Cozzens et al [US 4,793,822].

Regarding Claim 10, the combination of Smith et al and Daoud does not teach expressly an internally threaded post and an externally threaded screw for the insulation displacement contact of the assembly. However, using an threaded post in conjunction with an externally threaded screw to accommodate different sizes of fixtures is well-known in the art.

Cozzens et al teaches an electrical connector for terminating conductive wires through the cooperation of a threaded screw element and a threaded and slotted terminal insulation displacement connector (IDC) [col. 1, lines 7-11; col. 2, lines 5-31]. The tubular (i.e. post) IDC terminal is internally threaded, and the screw element is externally threaded to effect wire displacement [col. 2, lines 37-43; Fig. 7; col. 3, line 52 to col. 4, line 23; col. 6, lines 6-48; col. 8, lines 40-44].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the threaded IDC of Cozzens et al to the combination of

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Smith et al and Daoud so as to accommodate a range of conductor wires [col. 6, lines 35-46].

Claim 11 is essentially similar to Claim 10 and is rejected for the reasons stated above.

Regarding Claim 12, Smith et al teaches testing the telephone network interface apparatus using test contact 82 [Figs. 17-18; col. 6, line 66 to col. 7, line 31].

10. Claims 24, 28-31, 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al [US 5,802,170] in view of Koblitz et al [US 5,844,021].

Regarding Claim 24, Smith et al teaches a telephone network interface apparatus (i.e. a terminating device) 10 shown in Figs. 1, 2, 4 comprising a subscriber cover 12, a telephone company cover 14, a base 16, and modular devices 18 and 20 wherein the modular device 20 is commonly referred to as a customer bridge module and applied for interconnecting telephone company ("telco") wiring and subscriber telephone wiring [col. 1, lines 18-22; col. 5, line 38 to col. 6, line 29]. Further, a housing 38 (i.e. an assembly) mounted to the base has an insulation displacement contact 92 and openings 88 are adapted to receive subscriber wires 92 [Figs. 3-10; col. 6, lines 25-45; Figs. 12-13 and 19-24; col. 7, line 42 to col. 8, line 19]. Further, Smith et al teaches a cover 12 attached to the customer bridge 20 [col. 5, lines 46-51].

Although Smith et al disclose rotating the rocker arm 42 such that the subscriber wire 92 is driven into the slot in insulation displacement contact 92, they do not teach expressly positioning an insulation displacement contact at an angle relative to the wire insertion passage.

Koblitz et al teach sealed electrical connectors where the insulation displacement contact of the assembly (i.e. **terminal**) is positioned on the base at an angle relative to the wire insertion passage [col. 22, lines 37-52].

Smith et al and Koblitz et al are analogous art because they are from a similar problem solving area, viz. , telephone network interface apparatus.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the technique of positioning an insulation displacement contact at an angle relative to the wire insertion passage Koblitz et al with Smith et al and provide the alignment to the wire opening holes [Koblitz et al; col. 22, lines 37-47].

Regarding Claim 31, Smith et al teaches the customer bridge having a pair of rocker arm terminations 42 and a cam actuated termination mechanism 44 disposed therein that are movable between a closed position and an open position [Figs. 19-24; col. 6, lines 31-45].

Regarding Claim 28, Smith et al teaches a plug-actuated switch that engages a jack [Fig. 16; col. 6, line 66 to col. 7, line 31].

Regarding Claims 29-30, Smith et al teaches the network interface device 10 that may be protected for weatherproofing using sealed electrical connections and/or gels [col. 5, line 66 to col. 6, line 6; col. 2, lines 29-45].

Regarding Claim 34, Smith et al teaches a test port (i.e. **point**) 102 for verifying the integrity of the electrical connection between the insulation displacement contact and the subscriber wiring [Figs. 20-21, 24; col. 7, lines 43 to col. 8, line 20; col. 9, lines 13-23].

Regarding Claims 35-36, Smith et al teaches a customer bridge 20 comprising a protection/electronics unit 40 [Figs. 6, 11; col. 6, line 31 to col. 7, line 8; col. 2, lines 46-63].

11. Claims 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Smith et al and Koblitz et al as applied to claim 24 above, and further in view of Daoud [US 6,340,306 B1].

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Regarding claim 25, the combination of Smith et al and Koblitz et al does not teach expressly a locking slide having a movable clasp. However, the use of a movable clasp is well-known in the art.

Daoud teaches a connector 10 comprising a top section 12 a bottom section 14 wherein the top section 12 has **a clasp 15, which is movable** between an engaged position and a disengaged position, for engaging top section 12 to bottom section 14 [col. 3, lines 23-47; col. 1, lines 24-45].

Smith et al, Koblitz et al and Daoud are analogous art because they are from a similar problem solving area, viz. , telephone network interface apparatus.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the movable clasp of Daoud with the combination of Smith et al and Koblitz et al to establish an electrical and mechanical connection between the wires and the terminal strips [Daoud; col. 1, lines 38-40] and to verify the integrity of a telephone line [Daoud; col. 1, lines 47-48].

Regarding Claim 27, Smith et al teach various security arrangements of the customer bridge using security cover 142 that may include a locking slide and a subscriber padlock [col. 9, lines 24-65].

Allowable Subject Matter

12. Claims 13, 15-23, 37, 39-41 are allowable.

13. Examiner's Statement of Reasons for Allowance:

This invention relates to a communication network terminating device that is sealed to protect the wiring connections from a flood condition. Claim 13 identifies the uniquely distinct feature of the terminal device comprising: a base, a customer bridge attached to the base, and a cover attached to the customer bridge comprising a locking slide having a movable clasp; wherein the movable clasp has a lower portion that is broken off when an unauthorized person moves the cover from the closed position to the opened position and thereby provides a visual indication that the unauthorized person has attempted to gain access to the customer bridge. While the closest prior art, Smith et al [US 5,802,170], Daoud [US 6,340, 306 B1] and Koblitz et al [US 5,844,021], each teach terminating devices, Smith et al a terminating device having a cover attached to a customer bridge, Daoud a connector having a top section and a bottom section wherein the top section has a movable clasp, and Koblitz et al sealed electrical connectors assembly having an insulation displacement contact of the assembly; none of them suggest providing a visual indication that the unauthorized person has attempted to gain access to the customer bridge. As such, the prior art, either singularly or in combination, fail to anticipate or render the above underlined limitation obvious. Therefore, claim 13 is allowable.

Claims 37 and 41 are essentially similar to claim 13 and hence they are allowable.

Claims 15-23 are allowable due to dependency from claim 13.

Claims 39-40 are allowable due to dependency from claim 37

14. Claims 5 and 26 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 5 will be allowable because it claims the movable clasp having a lower portion that is broken off when an unauthorized person moves the cover from the closed position to the opened position and thereby provides a visual indication that the unauthorized person has attempted to gain access to the customer bridge. The reason for this allowance is similar to that provided in paragraph 13 above.

Claim 26 is essentially similar to claim 5 and hence is allowable.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (703)308-6270. The examiner can normally be reached on M-F(8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester Isen can be reached on (703)-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Ramnandan Singh
Examiner
Art Unit 2644

